REMARKS

In light of the amendments to the application noted above and remarks to follow, reconsideration and allowance of the above-referenced application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 2 and 5 and amended claims 1, 3, 4 and 6 are in this application.

At paragraph 4 of the outstanding Office Action of November 19, 2003, the Examiner rejected claims 1, 3, 4 and 6 under 35 U.S.C. § 102(b) as being anticipated by Huffman et al. (U.S. Patent No. 5,663,748). Applicant respectfully traverses the rejection.

Amended independent claim 1, recites in part, "An electronic book display device, comprising...display control means...for determining, based upon a selection technique for specifying one of said multiple elements, a type of mark to emphasize a specified element, **said selection technique being defined according to a position specified by an area of the display touched by a user**..." (Underlining and Bold added for emphasis.)

Huffman discloses an electronic book wherein a portion of the text can be marked either by highlighting the portion of the text or underlining the portion of the text by having a user slide a finger or a stylus over a portion of the text (column 17, line 60 - column 18, line 20). However, in Huffman, first the portions of text are marked by a user. Then the type of

modification to be applied to the marked text is selected indirectly by a menu selection technique or a selection dialog box. In contrast, amended independent claim 1 states that the selection technique is defined according to a position specified by an area of the display touched by a user. In other words, the user directly touches the display screen of the electronic book, and based upon a portion of the text that is touched, either a highlighting or an underlining function is performed. This is not the case in Huffman where the user needs to perform more than one step via a selection dialog box in order to select a highlight or an underline function for a marked text. Therefore, amended independent claim 1 is believed to be distinguishable from Huffman.

For similar reasons described above, it is also believed that amended independent claim 4 is also distinguishable from Huffman as applied by the Examiner.

Claims 3 and 6 depend from amended independent claims 1 and 4, respectively, and, due to such dependency, are also believed to be distinguishable from Huffman for at least the reasons previously described. Therefore, claims 1, 3, 4 and 6 are believed to be distinguishable from Huffman.

Applicant therefore respectfully requests the rejection of claims 1, 3, 4 and 6 under 35 U.S.C. §102(b) be withdrawn.

At paragraph 6 of the outstanding Office Action of November 19, 2003, the Examiner rejected claims 2 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Huffman et al. (U.S. Patent No. 5,663,748) in view of Hasting et al. (U.S. Patent No. 5,885,012) Applicant respectfully traverses the rejection.

Claims 2 and 5 depend from amended independent claims 1 and 4, respectively, and, due to such dependency, are also believed to be distinguishable from Huffman for at least the reasons previously described. The Examiner does not appear to rely on Hastings to overcome

the above-identified deficiencies of Huffman. Therefore, claims 2 and 5 are believed to be distinguishable from the applied combination of Huffman and Hastings.

Applicant therefore respectfully requests the rejection of claims 2 and 5 under 35 U.S.C. §103(a) be withdrawn.

The Examiner has made of record, but not applied, several U.S. Patents. The Applicant appreciates the Examiner's explicit finding that these references, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicant's undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

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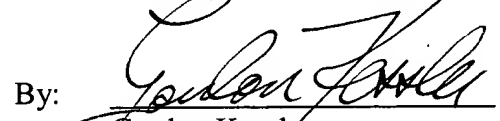
By: 
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